

House File 293 - Introduced

HOUSE FILE 293

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A BILL FOR

1 An Act relating to elections and voter registration by
2 requiring proof of identification to vote, modifying
3 in-person absentee registration procedures, modifying
4 absentee voting procedures for eligible voters in assisted
5 living programs, creating a criminal offense for falsely
6 swearing certain oaths and affidavits, and including
7 applicability provisions.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

VOTER IDENTIFICATION REQUIREMENTS

1
2
3 Section 1. Section 39A.2, subsection 1, paragraph b, Code
4 2015, is amended by adding the following new subparagraph:

5 NEW SUBPARAGRAPH. (6) Falsely swears to or affirms an
6 oath required pursuant to section 49.77, subsection 3, or an
7 affidavit pursuant to section 49.81, subsection 5, paragraph
8 "b".

9 Sec. 2. Section 48A.7A, subsection 1, paragraph a, Code
10 2015, is amended to read as follows:

11 a. A person who is eligible to register to vote and to vote
12 may register on election day by appearing in person at the
13 polling place for the precinct in which the individual resides
14 and completing a voter registration application, making written
15 oath, and providing proof of identity and residence proof of
16 residence pursuant to paragraph "b".

17 Sec. 3. Section 48A.7A, subsection 2, Code 2015, is amended
18 to read as follows:

19 2. The oath required in subsection 1, paragraph "a", and
20 in paragraph "c", if applicable, shall be executed on the
21 same piece of paper and attached to the voter registration
22 application.

23 Sec. 4. Section 49.53, subsection 1, Code 2015, is amended
24 to read as follows:

25 1. The commissioner shall not less than four nor more than
26 twenty days before the day of each election, except those for
27 which different publication requirements are prescribed by law,
28 publish notice of the election. The notice shall contain a
29 facsimile of the portion of the ballot containing the first
30 rotation as prescribed by section 49.31, subsection 2, and
31 shall show the names of all candidates or nominees and the
32 office each seeks, and all public questions, to be voted upon
33 at the election. The sample ballot published as a part of the
34 notice may at the discretion of the commissioner be reduced in
35 size relative to the actual ballot but such reduction shall not

1 cause upper case letters appearing in candidates' names or in
2 summaries of public measures on the published sample ballot to
3 be less than nine point type. The notice shall also state the
4 date of the election, the hours the polls will be open, that
5 all voters will be required to show proof of identification
6 before casting a ballot, the location of each polling place at
7 which voting is to occur in the election, and the names of the
8 precincts voting at each polling place, but the statement need
9 not set forth any fact which is apparent from the portion of
10 the ballot appearing as a part of the same notice. The notice
11 shall include the full text of all public measures to be voted
12 upon at the election.

13 Sec. 5. Section 49.77, subsection 3, Code 2015, is amended
14 by striking the subsection and inserting in lieu thereof the
15 following:

16 3. a. A precinct election official shall require the voter
17 to present for inspection proof of identification before being
18 allowed to vote.

19 b. For purposes of this section, "*proof of identification*"
20 refers to a document that satisfies all of the following:

21 (1) The document shows the name of the individual to whom
22 the document was issued which shall conform to the name on the
23 election register.

24 (2) The document shows a photograph of the individual to
25 whom it was issued.

26 (3) The document was issued by the government of the
27 United States, the state of Iowa, an Iowa public or private
28 university or college, an Iowa secondary school, or a political
29 subdivision of the state of Iowa. In the case of a document
30 issued by a political subdivision, the document shall be
31 issued not later than the close of voter registration for
32 the applicable election as set forth in section 48A.9 and
33 shall meet all other requirements established by the state
34 commissioner by rule.

35 c. In lieu of paragraph "b", a person wishing to vote may

1 establish proof of identity by written oath of the person
2 wishing to vote and of an attesting person who provides proof
3 of identification pursuant to paragraph "b". The oath shall be
4 in the form prescribed by the state commissioner of elections
5 and shall state the identity and attest to the stated identity
6 of the person wishing to vote. The oath must be signed by the
7 attesting person and the person wishing to vote in the presence
8 of the appropriate precinct election official. A person who
9 has signed an oath attesting to a person's identity as provided
10 in this paragraph is prohibited from signing any further oaths
11 as provided in this paragraph for the same election. The oath
12 shall advise the person wishing to vote and the attesting
13 person that falsely signing such an oath or falsely attesting
14 to a voter's identity is a class "D" felony.

15 d. The commissioner shall, within forty-five days after
16 each election, review all attestations received under this
17 subsection and if any individual is found to have attested for
18 more than one voter in a particular election, the commissioner
19 shall immediately notify the state commissioner and the county
20 attorney.

21 Sec. 6. Section 49.77, Code 2015, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 3A. a. If proof of identification is
24 established under subsection 3, the person shall be allowed to
25 vote.

26 b. If a person is unable or refuses to present proof of
27 identification, or the precinct election official determines
28 the proof of identification presented by the person does
29 not qualify as proof of identification under subsection
30 3, paragraph "b", or proof of identity under subsection 3,
31 paragraph "c", the person shall be offered the option to vote a
32 ballot, but only in accordance with section 49.81.

33 Sec. 7. Section 49.77, subsection 4, paragraph a, Code 2015,
34 is amended to read as follows:

35 a. A person whose name does not appear on the election

1 register of the precinct in which that person claims the right
2 to vote shall not be permitted to vote, unless the person
3 affirms that the person is currently registered in the county
4 ~~and presents proof of identity,~~ or the commissioner informs
5 the precinct election officials that an error has occurred
6 and that the person is a registered voter of that precinct,
7 and the person presents proof of identification pursuant to
8 subsection 3. If the commissioner finds no record of the
9 person's registration but the person insists that the person
10 is a registered voter of that precinct, the precinct election
11 officials shall allow the person to cast a ballot in the manner
12 prescribed by section 49.81.

13 Sec. 8. Section 49.81, subsection 1, Code 2015, is amended
14 to read as follows:

15 1. A prospective voter who is prohibited under section
16 48A.8, subsection 4, section 49.77, subsection 3A, paragraph
17 "b", section 49.77, subsection 4, section 49.80, or section
18 53.19, subsection 3, or section 53.22, subsection 1, paragraph
19 "d", from voting except under this section shall be notified by
20 the appropriate precinct election official that the voter may
21 cast a provisional ballot. The voter shall mark the ballot and
22 immediately seal it in an envelope of the type prescribed by
23 subsection 4. The voter shall deliver the sealed envelope to a
24 precinct election official who shall deposit it in an envelope
25 marked "provisional ballots". The ballot shall be considered
26 as having been cast in the special precinct established by
27 section 53.20 for purposes of the postelection canvass.

28 Sec. 9. Section 49.81, subsection 2, paragraph b, Code 2015,
29 is amended to read as follows:

30 b. If the person is casting a provisional ballot because
31 the person ~~failed~~ was unable or refused to provide a required
32 form of identification pursuant to section 48A.8, subsection
33 4, section 49.77, subsection 3A, paragraph "b", section 49.77,
34 subsection 4, or section 53.22, subsection 1, paragraph "d", a
35 list of the types of acceptable identification and notification

1 that the person must show identification before the ballot can
2 be counted.

3 Sec. 10. Section 49.81, Code 2015, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 5. *a.* If a voter casts a provisional
6 ballot pursuant to section 49.77, subsection 3A, paragraph
7 "*b*", the precinct election official shall indicate on the
8 provisional ballot envelope that the voter is casting a
9 provisional ballot due to the voter's inability or refusal to
10 present proof of identification.

11 *b.* At the time a provisional ballot is cast the voter may
12 also execute an affidavit in the form prescribed by the state
13 commissioner which shall be attached to the provisional ballot
14 envelope, affirming that the voter is the person the voter
15 claims to be and further affirming either of the following:

16 (1) The voter is indigent and is unable to obtain proof of
17 identification without the payment of a fee.

18 (2) The voter has a religious objection to being
19 photographed.

20 *c.* A provisional ballot cast pursuant to section 49.77,
21 subsection 3A, paragraph "*b*", which is accompanied by an
22 affidavit executed pursuant to paragraph "*b*" of this subsection
23 shall be presumed valid by the special precinct board and
24 shall be counted unless additional written statements or
25 documents are delivered to the commissioner's office prior to
26 the date provisional ballots are considered by the special
27 precinct election board and the special precinct election board
28 determines such additional evidence successfully rebuts the
29 presumption of validity.

30 Sec. 11. Section 53.8, subsection 3, paragraph a, Code 2015,
31 is amended to read as follows:

32 *a.* When an application for an absentee ballot is received by
33 the commissioner of any county from a registered voter who is a
34 patient in a hospital in that county, a tenant of an assisted
35 living program certified pursuant to section 231C.3 in that

1 county, or a resident of any facility in that county shown to
2 be a health care facility by the list of licenses provided the
3 commissioner under section 135C.29, the absentee ballot shall
4 be delivered to the voter and returned to the commissioner in
5 the manner prescribed by section 53.22.

6 Sec. 12. Section 53.10, subsection 2, Code 2015, is amended
7 to read as follows:

8 2. Each person who wishes to vote by absentee ballot at
9 the commissioner's office shall first sign an application for
10 a ballot including the following information: name, current
11 address, and the election for which the ballot is requested.
12 The person may report a change of address or other information
13 on the person's voter registration record at that time. The
14 person must also provide proof of identification pursuant to
15 section 49.77, subsection 3, before receiving an absentee
16 ballot. Upon receiving the absentee ballot, the registered
17 voter shall immediately mark the ballot; enclose the ballot in
18 a secrecy envelope, if necessary, and seal it in the envelope
19 marked with the affidavit; subscribe to the affidavit on the
20 reverse side of the envelope; and return the absentee ballot to
21 the commissioner. The commissioner shall record the numbers
22 appearing on the application and affidavit envelope along with
23 the name of the registered voter. If a person does not provide
24 proof of identification as required under this subsection, the
25 person shall be offered the option to vote a provisional ballot
26 pursuant to section 49.77, subsection 3A, paragraph "b".

27 Sec. 13. Section 53.22, subsection 1, paragraph a,
28 subparagraphs (1) and (2), Code 2015, are amended to read as
29 follows:

30 (1) A registered voter who has applied for an absentee
31 ballot, in a manner other than that prescribed by section 53.10
32 or 53.11, and who is a resident, tenant, or patient in a health
33 care facility, assisted living program, or hospital located in
34 the county to which the application has been submitted shall
35 be delivered the appropriate absentee ballot by two special

1 precinct election officers, one of whom shall be a member of
 2 each of the political parties referred to in section 49.13, who
 3 shall be appointed by the commissioner from the election board
 4 panel for the special precinct established by section 53.20.
 5 The special precinct election officers shall be sworn in the
 6 manner provided by section 49.75 for election board members,
 7 shall receive compensation as provided in section 49.20,
 8 and shall perform their duties during the ten calendar days
 9 after the ballots are printed if the commissioner so elects,
 10 during the fourteen calendar days preceding the election, and
 11 on election day if all ballots requested under section 53.8,
 12 subsection 3, have not previously been delivered and returned.

13 (2) If materials are prepared for the two special precinct
 14 election officials, a list shall be made of all voters to whom
 15 ballots are to be delivered. The list shall be sent with the
 16 officials who deliver the ballots and shall include spaces
 17 to indicate whether the person was present at the hospital,
 18 assisted living program, or health care facility when the
 19 officials arrived, whether the person requested assistance
 20 from the officials, whether the person was assisted by another
 21 person of the voter's choice, the time that the ballot was
 22 returned to the officials, and any other notes the officials
 23 deem necessary.

24 Sec. 14. Section 53.22, subsection 1, paragraph b, Code
 25 2015, is amended to read as follows:

26 *b.* If an applicant under this subsection notifies the
 27 commissioner that the applicant will not be available at the
 28 health care facility, assisted living program, or hospital
 29 address at any time during the ten-day period after the ballots
 30 are printed, if applicable, or during the fourteen-day period
 31 immediately prior to the election, but will be available there
 32 at some other time prior to the election or on election day,
 33 the commissioner shall direct the two special precinct election
 34 officers to deliver the applicant's ballot at an appropriate
 35 time preceding the election or on election day. If a person

1 who so requested an absentee ballot has been dismissed from the
2 health care facility, assisted living program, or hospital, the
3 special precinct election officers may take the ballot to the
4 voter if the voter is currently residing in the county.

5 Sec. 15. Section 53.22, subsection 1, Code 2015, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *d.* Before receiving a ballot under
8 this subsection, each applicant shall present proof of
9 identification pursuant to section 49.77, subsection 3, to
10 the special precinct election board members. If an applicant
11 is unable to present proof of identification, the applicant
12 shall have an opportunity to execute an affidavit in the form
13 prescribed by the state commissioner of elections affirming
14 that the voter does not have and is unable to obtain proof
15 of identification and that the voter resides in a hospital,
16 assisted living program, or health care facility and is casting
17 a ballot pursuant to this section. If the applicant refuses to
18 execute an affidavit, the voter's ballot shall be considered a
19 provisional ballot cast pursuant to section 49.81.

20 Sec. 16. Section 53.22, subsections 2, 3, 4, and 6, Code
21 2015, are amended to read as follows:

22 2. Any registered voter who becomes a patient, tenant, or
23 resident of a hospital, assisted living program, or health
24 care facility in the county where the voter is registered to
25 vote within three days prior to the date of any election or on
26 election day may request an absentee ballot during that period
27 or on election day. As an alternative to the application
28 procedure prescribed by section 53.2, the registered voter
29 may make the request directly to the officers who are
30 delivering and returning absentee ballots under this section.
31 Alternatively, the request may be made by telephone to the
32 office of the commissioner not later than four hours before
33 the close of the polls. If the requester is found to be a
34 registered voter of that county, these officers shall deliver
35 the appropriate absentee ballot to the registered voter in the

1 manner prescribed by this section.

2 3. For any election except a primary or general election
3 or a special election to fill a vacancy under section 69.14,
4 the commissioner may, as an alternative to subsection 1, mail
5 an absentee ballot to an applicant under this section to be
6 voted and returned to the commissioner in accordance with this
7 chapter. This subsection only applies to applications for
8 absentee ballots from a single health care facility, assisted
9 living program, or hospital if there are no more than two
10 applications from that facility, assisted living program, or
11 hospital.

12 4. The commissioner shall mail an absentee ballot to a
13 registered voter who has applied for an absentee ballot and
14 who is a patient, tenant, or resident of a hospital, assisted
15 living program, or health care facility outside the county in
16 which the voter is registered to vote.

17 6. Observers representing candidates, political parties,
18 or nonparty political organizations, or observers who are
19 opponents or proponents of a ballot issue to be voted on at
20 the election are prohibited from being present at a hospital,
21 assisted living program, or health care facility during the
22 time the special precinct election officers are delivering
23 absentee ballots to the residents of such hospital or health
24 care facility.

25 Sec. 17. Section 53.22, subsection 5, paragraph a, Code
26 2015, is amended to read as follows:

27 a. If the registered voter becomes a patient, tenant, or
28 resident of a hospital, assisted living program, or health care
29 facility outside the county where the voter is registered to
30 vote within three days before the date of any election or on
31 election day, the voter may designate a person to deliver and
32 return the absentee ballot. The designee may be any person the
33 voter chooses except that no candidate for any office to be
34 voted upon for the election for which the ballot is requested
35 may deliver a ballot under this subsection. The request for

1 an absentee ballot may be made by telephone to the office of
2 the commissioner not later than four hours before the close of
3 the polls. If the requester is found to be a registered voter
4 of that county, the ballot shall be delivered by mail or by the
5 person designated by the voter. An application form shall be
6 included with the absentee ballot and shall be signed by the
7 voter and returned with the ballot.

8 Sec. 18. Section 321.190, subsection 1, paragraph d, Code
9 2015, is amended to read as follows:

10 d. The fee for a nonoperator's identification card shall
11 be eight dollars and the card shall be valid for a period of
12 eight years from the date of issuance. If an applicant for
13 a nonoperator's identification card is a foreign national
14 who is temporarily present in this state, the nonoperator's
15 identification card shall be issued only for the length of time
16 the foreign national is authorized to be present as determined
17 by the department, not to exceed two years. An issuance fee
18 shall not be charged for a person whose driver's license or
19 driving privilege has been suspended under section 321.210,
20 subsection 1, paragraph "a", subparagraph (3), for a person
21 obtaining an identification card to be used under section
22 49.77, subsection 3, for voting purposes, or voluntarily
23 surrendered by the person in lieu of suspension under section
24 321.210, subsection 1, paragraph "a". An identification card
25 obtained for voting purposes shall be marked by the department
26 as "For Voting Purposes Only".

27 DIVISION II

28 CONFORMING PROVISIONS

29 Sec. 19. Section 48A.8, subsection 2, unnumbered paragraph
30 1, Code 2015, is amended to read as follows:

31 An eligible elector who registers by mail and who has
32 not previously voted in an election for federal office in
33 the county of registration shall be required to provide
34 additional identification documents when voting for the first
35 time in the county, unless the registrant provided on the

1 registration form the registrant's Iowa driver's license
2 number, or the registrant's Iowa nonoperator's identification
3 card number, or the last four numerals of the registrant's
4 social security number and the driver's license, nonoperator's
5 identification, or partial social security number matches
6 an existing state or federal identification record with the
7 same number, name, and date of birth. If the registrant
8 is required to show additional identification under this
9 subsection and votes in person at the polls, or by absentee
10 ballot at the commissioner's office or at a satellite voting
11 station, the registrant shall provide a current and valid
12 photo identification card, or shall present to the appropriate
13 election official one of the following current documents that
14 shows the name and address of the registrant:

15 Sec. 20. Section 48A.8, subsection 4, Code 2015, is amended
16 to read as follows:

17 4. A registrant under subsection 2 who is required to
18 present additional identification when casting a ballot in
19 person shall be permitted to vote a provisional ballot if the
20 voter does not provide the required additional identification
21 documents pursuant to subsection 2. If a voter who is required
22 to present such additional identification when casting a ballot
23 votes an absentee ballot by mail, the ballot returned by the
24 voter shall be considered a provisional ballot pursuant to
25 sections 49.81 and 53.31.

26 Sec. 21. Section 48A.27, subsection 4, paragraph c,
27 subparagraph (2), Code 2015, is amended to read as follows:

28 (2) The notice shall contain a statement in substantially
29 the following form:

30 Information received from the United States postal service
31 indicates that you are no longer a resident of, and therefore
32 not eligible to vote in (name of county) County, Iowa. If this
33 information is not correct, and you still live in (name of
34 county) County, please complete and mail the attached postage
35 paid card at least ten days before the primary or general

1 election and at least eleven days before any other election at
2 which you wish to vote. If the information is correct and you
3 have moved, please contact a local official in your new area
4 for assistance in registering there. ~~If you do not mail in~~
5 ~~the card, you may be required to show identification before~~
6 ~~being allowed to vote in (name of county) County.~~ If you do not
7 return the card, and you do not vote in an election in (name
8 of county) County, Iowa, on or before (date of second general
9 election following the date of the notice) your name will be
10 removed from the list of voters in that county.

11 Sec. 22. Section 48A.29, subsection 1, paragraph b, Code
12 2015, is amended to read as follows:

13 *b.* The notice shall contain a statement in substantially the
14 following form:

15 Information received from the United States postal service
16 indicates that you are no longer a resident of (residence
17 address) in (name of county) County, Iowa. If this information
18 is not correct, and you still live in (name of county) County,
19 please complete and mail the attached postage paid card at
20 least ten days before the primary or general election and at
21 least eleven days before any other election at which you wish
22 to vote. If the information is correct, and you have moved,
23 please contact a local official in your new area for assistance
24 in registering there. ~~If you do not mail in the card, you may~~
25 ~~be required to show identification before being allowed to vote~~
26 ~~in (name of county) County.~~ If you do not return the card, and
27 you do not vote in some election in (name of county) County,
28 Iowa, on or before (date of second general election following
29 the date of the notice) your name will be removed from the list
30 of voters in that county.

31 Sec. 23. Section 48A.29, subsection 3, paragraph b, Code
32 2015, is amended to read as follows:

33 *b.* The notice shall contain a statement in substantially the
34 following form:

35 Information received by this office indicates that you are no

1 longer a resident of (residence address) in (name of county)
2 County, Iowa. If the information is not correct, and you still
3 live at that address, please complete and mail the attached
4 postage paid card at least ten days before the primary or
5 general election and at least eleven days before any other
6 election at which you wish to vote. If the information is
7 correct, and you have moved within the county, you may update
8 your registration by listing your new address on the card and
9 mailing it back. If you have moved outside the county, please
10 contact a local official in your new area for assistance in
11 registering there. ~~If you do not mail in the card, you may be~~
12 ~~required to show identification before being allowed to vote in~~
13 ~~(name of county) County.~~ If you do not return the card, and you
14 do not vote in some election in (name of county) County, Iowa,
15 on or before (date of second general election following the
16 date of the notice) your name will be removed from the list of
17 registered voters in that county.

18 DIVISION III
19 APPLICABILITY

20 Sec. 24. APPLICABILITY. This Act applies to elections held
21 on or after January 1, 2017.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill requires that a person provide certain proof of
26 identification at the time that the person votes, modifies
27 proof of identification and proof of residence requirements
28 for election day and in-person absentee registration, modifies
29 absentee voting procedures for eligible voters in assisted
30 living programs, and creates a criminal offense for falsely
31 swearing certain oaths and affidavits.

32 Division I of the bill relates to voter identification
33 requirements. The bill maintains current law allowing a person
34 wishing to register to vote on election day, or in person when
35 voting an absentee ballot, to establish proof of identity

1 and proof of residence by written oath of a person who is
2 registered to vote in the precinct, but requires that the oath
3 of the person wishing to vote and the registered voter's oath
4 be executed on the same piece of paper.

5 The bill requires that a voter provide proof of
6 identification to a precinct election official before being
7 allowed to vote, and also requires that a person wishing to
8 vote by absentee ballot at a county commissioner of elections
9 office or at a satellite absentee voting station present
10 the same proof of identification. The bill requires that
11 acceptable proof of identification show the name of the
12 individual voter, include a photograph of the voter, and be
13 issued by the government of the United States, the state of
14 Iowa, an Iowa public or private university or college, an Iowa
15 secondary school, or a political subdivision of the state.

16 The bill provides that, in lieu of providing identification
17 in order to vote, a person may establish proof of
18 identification by written oath of the person wishing to vote
19 and of a person who provides their own proof of identification
20 and who attests to the voter's identity. The bill provides
21 that the oath shall be in the form prescribed by the state
22 commissioner of elections, and that the oath shall state the
23 identity of the person wishing to vote and shall attest to
24 the stated identity of the person wishing to vote. The bill
25 requires that the oath be signed by both the attesting person
26 and the person wishing to vote. The bill makes it a class "D"
27 felony to falsely swear to or affirm an oath pursuant to this
28 provision or to falsely attest to a voter's identity. The bill
29 requires that the oath advise both persons that falsely stating
30 or attesting to a voter's identity is a class "D" felony. A
31 class "D" felony is punishable by confinement for no more than
32 five years and a fine of at least \$750 but not more than \$7,500.
33 The bill provides that an attesting person is prohibited from
34 signing any additional such oaths for the same election.

35 The bill provides that if proof of identification is

1 established the person shall then be allowed to vote. If a
2 person is unable or refuses to present proof of identification,
3 or if the precinct election official determines that the
4 proof of identification does not meet specified requirements,
5 the person shall be offered the option to vote a provisional
6 ballot. If a person is casting a provisional ballot
7 under these circumstances, the person shall receive a
8 printed statement giving notice of the types of acceptable
9 identification and notice that the person is required to show
10 acceptable identification before the provisional ballot can
11 be counted. However, the bill provides that a voter casting
12 a provisional ballot for this reason may execute an affidavit
13 in the form prescribed by the state commissioner of elections,
14 affirming that the voter is the person the voter claims to be
15 and affirming that the voter is either indigent and unable to
16 obtain proof of identification without the payment of a fee or
17 that the voter has a religious objection to being photographed.

18 The bill makes it a class "D" felony to falsify an affidavit
19 that attests to identity. A class "D" felony is punishable by
20 confinement for no more than five years and a fine of at least
21 \$750 but not more than \$7,500. The bill also provides that
22 any provisional ballot cast accompanied by such an affidavit
23 shall be presumed valid unless additional written statements
24 or documents are delivered to the county commissioner of
25 elections office prior to the date that provisional ballots
26 are considered and the precinct election board determines that
27 such additional evidence successfully rebuts the presumption
28 of validity.

29 The bill also makes changes to the election notice to be
30 published by the county commissioner of elections to require
31 that election notices include a statement that all voters will
32 be required to show proof of identification before casting a
33 ballot.

34 The bill requires that persons residing in a hospital or
35 health care facility who apply to vote by absentee ballot shall

1 present proof of identification. If the applicant is unable to
2 present proof of identification, the applicant shall be able
3 to execute an affidavit in the form prescribed by the state
4 commissioner of elections, stating that the applicant does not
5 have and is unable to obtain proof of identification and that
6 the applicant resides in a hospital or health care facility.
7 If the applicant refuses to execute such an affidavit and is
8 unable to present proof of identification, the voter is allowed
9 to cast a provisional ballot. The bill further extends all
10 provisions applying to balloting by residents of a health
11 care facility and hospital patients to include tenants of an
12 assisted living program.

13 The bill also provides that a person obtaining a
14 nonoperator's identification card for the purpose of voting
15 shall not be charged for the issuance of the nonoperator's
16 identification card. The bill requires that nonoperator's
17 identification cards issued to serve as proof of identification
18 for voting be labeled by the department as "For Voting Purposes
19 Only".

20 Division II of the bill makes conforming changes to certain
21 required notices on forms related to voter registration and
22 registration by mail.

23 Division III of the bill provides that the bill applies to
24 elections held on or after January 1, 2017.